IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 17965 of 2004

Between:

1 Rotary Service Trust, Chirala, rep. by its President Sri Rotarian M. Bapanaiah S/o Sri Raghavulu, Hindu, aged 75 yrs, Occ: Chartered Accountant, R/o Chirala, Prakasam District.
2 Rotary Club of Chirala, Rotary International District 3150, Chirala, Prakasam District,
Rep. by their President.

..... PETITIONERS

AND

1 Commissioner Chirala Municipality, Chirala, Prakasam District.
2 District Collector, Prakasam District, Ongole, Prakasam District.
3 Secretary, Municipal Administration, Secretariat, Hyderabad.
4 Prl. Secretary to Govt. of A.P., Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ, order or direction more particularly in the nature of writ of Mandamus, directing the respondents not to dispossess the petitioners from the vacant site existing in between Rotary Community Hall in TSR No. 80, Ward No.9, Block No.4, Chirala.

Counsel for the Petitioners:MR.A.VENKATESWARA SARMA

Counsel for the Respondent No.1: MR.D.SRINIVAS DAMMALAPATI

Counsel for Respondent Nos.2 to 4 : GP FOR MUNICIPAL ADMINISTRATION

The Court at the stage of admission made the following :

ORDER:

The petitioners, who claim to be in possession of the vacant site adjacent to Rotary Community Hall, in TSR No.80, Ward No.9, Block No.4, Chirala, made a representation to the 2nd respondent requesting not to approve the resolution passed by the Municipality proposing to construct E-seva Kendram, in the said land.

It is not in dispute that the Municipality is proposing to construct E-Seva Kendram in the said vacant site, and passed a resolution to that effect, on the ground that it is useful for public purpose.

In view of the same, the petitioners have no right to seek a direction to the respondents not to dispossess them from the land in question, which is meant for public purpose.

Accordingly, the writ petition is dismissed. No order as to costs.

A.GOPAL REDDY,J

Dated:5-10-2004

GJ

To

1 The Commissioner Chirala Municipality, Chirala, Prakasam District.
2 The District Collector, Prakasam District, Ongole, Prakasam District.
3 The Secretary, Municipal Administration, Secretariat, Hyderabad.
4 The Prl. Secretary to Govt. of A.P., Secretariat, Hyderabad.

5. Two C.Cs. to the Government Pleader for Municipal Administration, High Court of A.P., Hyderabad (OUT)

6. Two C.D. copies.